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6 IN THE UNITED STATES DISTRICT COURT
7 FOR THE DISTRICT OF ARIZONA
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9 Jeremy A. Nyuwa,

10 Petitioner,

11 v.

12 Unknown Party, et al.,

13 Respondents.
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No. CV-13-0896-PHX-JAT (DKD)

REPORT AND RECOMMENDATION

15 TO THE HONORABLE JAMES A. TEILBORG, SENIOR U.S. DISTRICT JUDGE:

16 Jeremy A. Nyuwa filed a Second Amended Petition for Writ of Habeas Corpus
17 pursuant to 28 U.S.C. § 2241 arguing that he is eligible for a bond hearing because his
18 immigration case was pending judicial review. (Doc. 12) Respondents have informed
19 the Court that, on May 22, 2014, Nyuwa had a bond hearing. (Doc. 19 at Ex. 1) Thus,
20 Nyuwa had received the relief that he had requested.

21 **IT IS THEREFORE RECOMMENDED** that Jeremy A. Nyuwa's Second
22 Amended Petition for Writ of Habeas Corpus be **dismissed as moot**.

23 This recommendation is not an order that is immediately appealable to the Ninth
24 Circuit Court of Appeals. Any notice of appeal pursuant to Rule 4(a)(1), Federal Rules
25 of Appellate Procedure, should not be filed until entry of the district court's judgment.
26 The parties shall have fourteen days from the date of service of a copy of this
27 recommendation within which to file specific written objections with the Court. *See*, 28
28 U.S.C. § 636(b)(1); Rules 72, 6(a), 6(b), Federal Rules of Civil Procedure. Thereafter,

1 the parties have fourteen days within which to file a response to the objections. Failure
2 timely to file objections to the Magistrate Judge's Report and Recommendation may
3 result in the acceptance of the Report and Recommendation by the district court without
4 further review. *See United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003).
5 Failure timely to file objections to any factual determinations of the Magistrate Judge will
6 be considered a waiver of a party's right to appellate review of the findings of fact in an
7 order or judgment entered pursuant to the Magistrate Judge's recommendation. *See* Rule
8 72, Federal Rules of Civil Procedure.

9 Dated this 6th day of May, 2015.

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13 David K. Duncan
14 United States Magistrate Judge
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